

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
UNITED STATES OF AMERICA :
-----X

- V - : **AFFIRMATION**
-----X
MARVIN MCFOY :
-----X
Defendant. :
-----X

I, **RAYMOND DYSON**, hereby affirm under penalties of perjury, pursuant to 28 U.S.C. § 1746, as follows:

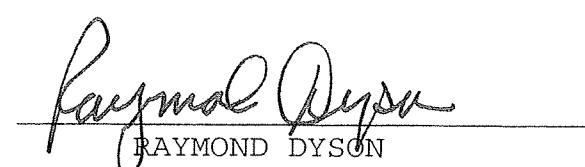
1. I am an investigator with the office of the Federal Defenders of New York, Inc.

2. On March 13, 2008, I went to 1368 Sheridan Avenue, Bronx, New York, apartment 5C. I entered the apartment and examined the physical layout. I also took photographs from the front door to the apartment.

3. From the front door of the apartment, with the door fully open, I could only see down a long hallway which permits a view of the kitchen. Although the closest room to the door is a living room down the hallway, it is impossible to see into the living room from the front door. The view of the kitchen is somewhat obstructed, and the kitchen itself is too small to contain furniture.

I declare under penalty of perjury that the foregoing is true and accurate.

Dated: March 14, 2008
New York, New York


RAYMOND DYSON